## Local Government Mandate Statement Kentucky Legislative Research Commission 2018 Regular Session

**Part I: Measure Information** 

Bill Request #: 364						
Bill #: SB 42						
Document ID #: 755						
<b>Bill Subject/Title:</b> AN ACT relating to unmanned aircraft systems in the lawful taking of wildlife.						
Sponsor: Senator Robin L. Webb						
Unit of Government: X City X County X Urban-County X Charter County X Consolidated Local X Government						
Office(s) Impacted: Law Enforcement, Local Courts, Jails						
Requirement: X Mandatory Optional						
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing						

## Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

SB 42 defines "unmanned aircraft systems" as any aircraft that is operated without the possibility of direct human intervention from within or on the aircraft and that the use of such aircraft is prohibited from tracking or taking of wildlife. SB 42 also provides that use of unmanned aircraft systems to conduct video surveillance of a person lawfully engaged in the taking of wildlife is prohibited and shall constitute "disruption" or "obstruction" as set forth in KRS 150.710(1).

The fiscal impact of SB 42 is expected to be minimal. As technology improves and the cost of acquiring an unmanned aircraft system declines, unmanned aircraft use will likely increase.

Penalties for these violations are found in KRS 150.990(6) and KRS 150.990(14).

(6) Any person who violates any of the provisions of KRS 150.363 as amended (use of unmanned aircraft systems for the tracking or taking of wildlife),

- shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or imprisoned for not more than six (6) months, or both
- (14) A person shall be guilty of a Class B misdemeanor upon the first conviction for a violation of KRS 150.710 as amended (use of unmanned aircraft to obstruct or disrupt the right of a person to lawfully take wildlife). A subsequent conviction shall be a Class A misdemeanor.

A person convicted of a Class B misdemeanor may be incarcerated for up to 90 days. A person convicted of a Class A misdemeanor may be incarcerated for up to one year. Misdemeanants are housed in one of Kentucky's 76 full service jails or five life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$31.34 per day. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average of \$31.34 per day.

## Part III: Differences to Local Government Mandate Statement from Prior Versions

The Part II section above pertains to the bill as introduced and there are not any prior introduced versions of the bill to complete the Part III section.

Data Source	e(s): LRC Staff,	Department of Corre	ections ections		
Preparer:	Mark Offerman	Reviewer:	KHC	Date:	1/9/18